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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WILLIAM TERRY BRADFORD,)	CASE NO. CV 06-4529-AHM (PJW)
)	
Petitioner,)	
)	ORDER ACCEPTING REPORT AND
v.)	ADOPTING FINDINGS, CONCLUSIONS,
)	AND RECOMMENDATIONS OF UNITED
GEORGE J. GIURBINO, WARDEN,)	STATES MAGISTRATE JUDGE
)	
Respondent.)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records on file, and the Report and Recommendation of United States Magistrate Judge and has considered *de novo* the portions of the Report as to which objections have been filed. The Court accepts the Magistrate Judge's Report and adopts it as its own findings and conclusions. *See Rider A, attached hereto.*

DATED: May 27, 2008.

A. Howard Matz
A. HOWARD MATZ
UNITED STATES DISTRICT JUDGE

RIDER A

The Report and Recommendation (“R&R”) is fundamentally sound and correct,¹ but the result is (in one respect) somewhat troubling. There is no evidence in the record as to the reason for this very lengthy delay. Apart from responding to one’s curiosity, however, that omission or gap is not relevant, for as the R&R correctly notes, where (as here) the defendant/petitioner fails to establish any actual, non-speculative prejudice from the delay, there is no need to measure the delay against the reasons for the delay. *United States v. Ross*, 123 F.3d 1181, 1187 (9th Cir. 1997).

¹ This Court may have refrained from conjuring up explanations for why some of the “evidence” ostensibly unavailable because of the delay is not really material or persuasive. *See, e.g.*, R&R at 15:7-13.